

Session 12-34 a Special Meeting of the Homer City Council was called to order on December 10, 2012 at 4:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: BURGESS, DOLMA, LEWIS, ROBERTS

ABSENT: HOWARD, ZAK (both excused)

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER (telephonic)
CITY ATTORNEY WELLS
PORT AND HARBOR DIRECTOR HAWKINS

Councilmembers Howard and Zak have requested excusal.

Mayor Wythe declared Councilmembers Howard and Zak as excused absences. There was no objection from the Council.

AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

Mayor Wythe called for a motion to approve the agenda as presented.

LEWIS/BURGESS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no public comments.

NEW BUSINESS

- A. **Memorandum 12-178**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 5), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney-client Privilege (City Attorney Update on Court Cases: Auction Block vs. City of Homer, Griswold vs. City of Homer, and Neal vs. City of Homer).

ROBERTS/LEWIS - MOVED TO ADD BRYAN HAWKINS TO HEAR AUCTION BLOCK AND INVITE THE CITY MANAGER TO HEAR THE INFORMATION FOR ALL COURT CASES.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/BURGESS - MOVED TO APPROVE THE RECOMMENDATIONS OF MEMORANDUM 12-178 TO MEET IN EXECUTIVE SESSION TO HEAR CITY ATTORNEY UPDATE ON COURT CASES.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/BURGESS - MOVED TO ADJOURN TO EXECUTIVE SESSION.

There was no discussion.

VOTE: YES. ROBERTS, DOLMA, BURGESS, LEWIS.

Motion carried.

Council adjourned to Executive Session at 4:05 p.m. and reconvened the meeting at 4:38 p.m.

Mayor Pro Tempore Roberts reported Council was briefed by the attorneys and gave them direction with the three cases.

COMMENTS OF THE AUDIENCE

There were no comments from the audience.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 4:39 p.m. The next Regular Meeting is Monday, January 14, 2013 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, CMC, CITY CLERK

HOMER CITY COUNCIL
SPECIAL MEETING MINUTES
DECEMBER 10, 2012

Approved: _____